1946 K Legal DEPARTMENT

File No. T. D. Bij. 14

E. BRANCH

Examined

Subject:—

Trust Deed — Building Grant paid for the District Local Board Primary School, Sindgi, Talukа Sindgi — Dist. Bijapur

D 27 (E)

File No. T. D. Bij. 46.

Std. Sectt. Slip 24-B

343-E

(K)

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Legal Department File Nol T. D. Bijapur/46

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No. S-42(9) 24 - D
Poona, 23rd May 1946.

From

The Director of Public Instruction,
Province of Bombay, Poona.

To

The Remembrancer of Legal Affairs, Bombay.

Subject:- Trust Deed for building grant paid for the District Local Board Primary School at Sindgi, Taluka Sindgi, District Bijapur.

Sir,

I have the honour to forward herewith, for record, a copy of the Trust Deed dated the 29th November, 1945, together with a copy of the site plan on account of the building grant of Rs.1,631/- paid for the District Local Board Primary School at Sindgi, Taluka Sindgi, District Bijapur.

L. D. 24 MAY 1946

THE SOLICITOR TO GOVERNMENT
IN LEGAL DEPARTMENT
File No. 689
Dated 24/5

Your obedient servant,

G.B.22/5 for Director of Public Instruction.

Submitted -

File in T D Bijapur

Mal
2/15,

Ref 2T/5-

This Indenture made the twenty ninth day of November one thousand nine hundred and forty five, between the District Local Board of Bijapur established under the Bombay Local Boards Act, 1923 (hereinafter referred to as " the Local Board ") of the one part, and the Governor of Bombay (hereinafter referred to as " the Government ") of the other part, WHEREAS the Local Board has applied to the Government for a Building site for a school at Sindgi Taluka Sindgi District Bijapur for the Kannada Boys' School and for a Building Grant-in-aid of such school and has satisfied the Director of Public Instruction, Province of Bombay, that the building site is intended for and will be used devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory and that the building has been constructed purchased AND WHEREAS by the rules now in force in the Province of Bombay for regulating the application of grants made by the Government in aid of schools it is provided (inter alia) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Government has agreed to allot the piece or parcel of land valued at Rupees twenty five (Rs.25/-) only described in the Schedule hereto and to hold the same for the purposes of the said school in manner hereinafter appearing and has sanctioned a Building Grant of Rupees one thousand, six hundred and thirty one (Rs.1,631/- ~~only~~ (Rs.961 in 1870-71 & Rs.670/- in 1941-42), paid to the Local Board and

which sum has been duly paid and payment of which the Local Board duly acknowledges in consideration of the Local Board executing to the Government such conveyance or assurance as is hereinafter contained which

and the Local Board has agreed to ~~execute these presents~~ do.

AND WHEREAS the Commissioner Southern Division, has sanctioned the transfer hereby made and such sanction is recorded in his Memo No. L.F.Br. dated the 29th July 1944.

NOW IT IS HEREBY DECLARED AND AGREED by and between the parties hereto that the Government shall hold and stand possessed of the piece of land described in the schedule hereto and all buildings which now are erected or may for the time being be erected thereon and also all fittings and fixtures which now are or may for the time being be on the premises upon trusts and to and for the intents and purposes ~~of~~ following that is to say UPON TRUST to permit the Local Board to enter upon the said premises (piece of land) for the purposes and on the conditions following namely that the Local Board and its successors shall:-

(1) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be, on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(2) pay all rates, charges, assessments and expenses leviable or chargeable in respect of the premises and buildings; (said piece of land; a playground for)

(3) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and impart secular education; (the piece of land; which shall be; playground; ~~and upon~~)

(4) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department of the Government of Bombay;

(5) keep the said school at all times open to the inspection of the Inspecting Officers of the Educational Department of the Government of Bombay, and (and the playground)

(6) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of Bijapur Division has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Government against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Government or its Agent for the time

being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the Policy or Policies of such insurance and the receipt for the Premiums paid thereon in respect of the current year and shall, unlessthe Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Local Board in the performance of any of the conditions hereinbefore mentioned the said building grant and any future building grants from time to time made bythe Government in respect of the said piece of land school or so much of the same as shall not then have been made shall lapse and it shall be lawful for the Government at any time thereinafter to enter upon and take possession of the said piece of land premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Government free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of Premiums paid in respect of such insurance) of the Local Board or its successors, representatives and assigns and all other persons whomsoever. IN WITNESS WHEREOF Mr. Shankareppa Basalingappa Desai, the President of the Local Board and (1) Mr. Gadigeppa Adiveppa Hiredesai and (2) Mr. Haji Md. Ibrahimsaheb Hattiwala two other members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and

R. P. Pal Vaughan Esquire I. E. S.

~~Esq.~~

Director of Public Instruction for the Province of Bombay, hath set his hand and the seal of his office hereto on behalf of the Governor of Bombay, the day and year first above written.

The Schedule above Referred To.

Description and boundaries of Property.

The Piece or Parcel of land measures in superficial area [1954] square feet be the same a little more or less situated in [the Cacthana of the village of Sindgi] and bearing S. number in the Taluka of [Sindgi] in the District of [Bijapur] and in the Registration sub-district of [Sindgi] in the said district and measures from North to South [54] feet on the eastern side and [35 + 19] feet on the Western side and from East to West [39] feet on the Northern side and [31] feet on the Southern side, be the same a little more or less and is bounded as follows:-

On the North by [Public Road.]
On the South by [Public Road.
On the East by Public Road.
and On the West by Private houses of (1) Basappa Subbaya Varma & (2) Basappa - Cholappa Amvalgi.

and is for greater clearness delienated on the Plan - hereto annexed and signed by the Executing parties aforesaid, ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~

Signed by [Mr. Shankaroppa Basalingappa Desai] President, District Local Board, Bijapur. — Sd/ S. B. Desai — President.

(1) [Mr. Gadigeppa Adiveppa Hiredesai] and — (1) Sd/ Gadigeppa Adiveppa Hiredesai

(2) [Haji Md. Ibrahimsahob Hattiwala] — (2) Sd/ H. I. Hattiwala

Two members of the District Local Board, [Bijapur,] and sealed with the common seal of the Local Board of [Bijapur] in the presence of — Members. — Common seal

(1) Mr. P.R.Kakraddi, Chief Officer, District Local Board, Bijapur — Sd/ P. R. Kakraddi

(2) Mr. G.S.Korti, Head Clerk, District Local Board, Bijapur. — Sd/ G. S. Korti

Signed, sealed and delivered by

R. P. Paltiwalla Esquire, I.E.S. Official seal.

Director of Public Instruction for the Province of Bombay, in the Presence of--

[S/of R. P. Paltiwalla D. P. I. B. P.]

(1) [S/of R. A. Adhyankar Accounts Superintendent.]

(2) [S/of K. S. Bendre Personal Assistant to Superintendent Office D. P. I's (B. P.)]

Annexture:- Plan.

S. No 1

Registered as the property of the District Registrar Bombay between the hours of 10 and 11 on the 2nd February 1946

S/of S. B. Desai.

S/of D. T. Almeida
District Registrar
Bombay.

Received fee for Rs

Registration 11 - 4 →

copying fee 12 3 → →

Extra for Reg by A.R. 5 → →

for copies certificate fee 0 - 8 →

for search fee 0 - 10 →

Postage stamps & Mark 0 - 10 →

21 → →

S/of D. T. Almeida
District Registrar
Bombay.

Mallappa - Shankarappa - Badiwaddar
Vessai - President D. L. B. Bijapur Lingayat
54 native of Sulla, now at Bijapur.
(2) Sadashiva - Adiveppa - Hiredesai
member D. L. B. Bijapur Lingayat 62 —
Bijapur.
(3) Hazi Md Ebrahimsaheb - Hallivala.
member D. L. B. Bijapur municipality 233
of Bijapur.
executing parties admit execution
of this deed and they are all known to the
undersigned District Registrar.

Sd/ S. B. Desai.
Sd/ Sadashiva - Adiveppa - Hiredesai.
Sd/ H. J. Hallivala.

R. P. Palwankar Esq I. E. S. Director of
public instruction for the purpose of binding
executing party is exempt from personal
~~appearance~~ appearance under section 32 of
the I. R. Act. His signature & seal and the
seal of the D. L. B. are identified by the
"Chief" officer D. L. B. Bijapur the pardanashin
Ramabai wife Rao Saheb of Bijapur who is
known to the District Registrar.

Sd/ P. R. Kakatkar.
2 - 2 - 1946

Sd/ J. T. Almeida
District Registrar Bijapur.

Registered no 1 at pages 303 to 304
Volume no 3 of book no 1
Date 4 - 2 - 1946

Sd/ J. T. Almeida
District Registrar
Bijapur.

of a plan map which accompanied
the document registered at no 1 on
pages from 383 to 384 of volume
no 3 of Book no I is filed on page
29 of volume 2 of Book no I part II

Date 14-2-1946.
21-3

Sd/ D. T. Almonkar.

District Registrar
Bijapur.

T.D. Bij 146
29/5/46

15

No. S-42(d)-547-D.
Poona, 28 June, 1946.

From

The Director of Public Instruction,
Poona.

To

The Remembrancer of Legal Affairs,
Bombay.

Subject:- Trust Deed for building grant paid for the District Local Board Primary school at Kakhandki, Taluka Bijapur, District Bijapur.

Sir,

I have the honour to forward herewith, for record, a copy of the Trust Deed dated the 29th November, 1945, together with a copy of the site plan on account of the building grant of Rs.3,040/- paid for the District Local Board Primary school at Kakhandki, Taluka Bijapur, District Bijapur.

Your obedient servant,

for Director of Public Instruction.

BSD 27/6

9. JUN 1946

Sobr. 829 — 17

B. J. R
181-6/7
1946

S. No. 181
Presented at the office of the Sub Registrar of Bijapur between the hours of 10 and 11 on the 2nd Feb 1946
Sd/- S. B. Desai
Sd/- B. S. Kulkarni.
Sub Registrar Bijapur

Received fees for :—
Registration Rs. 18-12-0
copying 2-10-0
extra for Regn by Sub R 0-0-0
for copies filing 0-10-0
for memo made 0-0-0
Postage 0-0-0
22-0-0

Sd/- B. S. Kulkarni.
Sub Registrar
Bijapur

THIS INDENTURE made the twenty ninth day of November one thousand nine hundred and forty five between the District Local Board of Bijapur established under the Bombay Local Boards Act, 1923 (hereinafter referred to as " the Local Board ") of the one part and the Governor of Bombay (hereinafter referred to as " the Government ") of the other part, WHEREAS the Local Board is possessed of and absolutely entitled in perpetuity free from - incumbrances to the piece of land ~~xxxxxxx~~ described - in the schedule hereto and intended to be hereby assured; AND WHEREAS the Local Board applied to the Government for a Building Grant-in-aid of Rupees three thousand and forty (Rs.3,040/-) only for a school-house to be known as the Kakhandki Kannad Boys' school and has satisfied the - Director of Public Instruction, Province of Bombay, that the building is intended for and will be devoted to - educational purposes and in part to secular education that the plans, estimates and specifications are - satisfactory that the title of the Local Board to the piece of land described in the schedule hereto is good and in order and that the building has been constructed AND WHEREAS by the rules now in force in the Province of Bombay for regulating the application of grants made by the Government in aid of schools it is provided(inter alia) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or - agree to execute a trust deed as in the said rules Provided

AND WHEREAS the Government has sanctioned a Building Grant of Rupees three thousand and forty (Rs.3,040/-) only which sum has been duly paid and payment of which the Local Board hereby acknowledges in consideration of the Local Board executing to the Government such - conveyance or assurance as is hereinafter contained - which the Local Board has agreed to do AND WHEREAS the Commissioner, Southern Division, has sanctioned the transfer hereby made and such sanction is recorded in his Memorandum No.L.F.Br. dated the 22nd day of March 1944. NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of Rupees three thousand and forty (Rs.3,040/-) only paid as aforesaid by the Government to the Local Board, the Local Board doth - hereby grant convey and assign unto the Government ALL THAT piece or parcel of land described in the schedule hereto TOGETHER with all and singular the building and erections now being or which may hereafter be thereon - expressly including the said building to be erected as aforesaid and all rights easements and appurtenances whatsoever usually held or occupied therewith or reputed to belong or be appurtenant thereto and also all - fittings and fixtures being in and belonging to or used or to be used for the said school and all the estate right title interest claim and demand of the Local Board in and upon the said premises TO HOLD the said piece of land chattels and effects and all other premises - expressed to be hereby assured unto and to the use of the Government according to the nature and tenure - thereof respectively. AND the Local Board doth hereby for itself and its successors covenant that it has power to grant all the said premises to the Government in - manner aforesaid free from incumbrances and that the - Local Board and every person claiming through or in trust for the Local Board will at all times at the cost of the Local Board execute and do all such assurances and

and things for the further or better assuring the said premises to the Government as aforesaid as shall be reasonably-required AND it is hereby declared and agreed that the Govern--ment shall hold the said premises upon the trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Local Board to enter upon the said - premises for the purposes and on the conditions following - namely that the Local Board and its successors shall:-

(1) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said piece of land to the end that the same may be always efficient for use for the purposesof a school;

(2) pay all rates, charges, assessments and expenses leviabl or chargeable in respect of the premises and buildings;

(3) use all the premises and buildings as and for the - purposes of a public school to be devoted wholly to education and inpart to secular education;

(4) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department of the Government of Bombay;

(5) keep ~~the~~ the said school at all times open to the inspection of the inspecting officers of the Educational Department of the Government of Bombay, and

(6) keep at all times the building or buildings already - erected or which may hereafter be erected on the said premises in respect of which a Building grant has been given (except - the building or buildings in respect of which the Executive Engineer of Bijapur Division has issued a certificate that in his opini n the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Govern--ment against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable - insurance office to be approved by the Government or its Agent for the time being and regularly pay the premiums which shall - become payable in respect of such insurance and whenever there--unto required so to do ~~to~~ produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall unless the Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided, apply all moneys which may be received by virtue of any such policy or policies in - rebuilding or reinstating the premises destroyed or damaged;

PROVIDED ALWAYS and it is hereby declared and agreed that - in the event of default being made by the Local Board in the - performance of any of the conditions hereinbefore mentioned the Building Grant or so much of the same as shall not then have been made shall lapse and the aggregate amount of the said - Building Grant and all future Building Grants from time to time

advanced by the Government for the school shall be repayable to the Government AND for the purposes of recovering any - moneys so due to the Government it shall be lawful for the Government to enter upon and take possession of the said - premises and all buildings, fixtures and fittings thereon and to sell and absolutely dispose of the same free from - incumbrances and discharged from the trusts hereof in such - manner as the Government in its absolute discretion shall see fit and apply the proceeds of such sale after payment thereout of all costs and expenses attending the same in or towards the recouping or reimbursing to the Government the moneys which - may as aforesaid have become repayable or due to the Government and pay the surplus if any, to the Local Board or to such body or person whom the Government may consider lawfully entitled thereto and in any such event the Local Board shall forfeit to the Government all ~~the~~ its right or claim to, over or in respect - of such policy or policies of insurance relating to the said buildings and the amount of premiums paid by it in respect of such insurance and the same shall then become absolutely the property of the Government. IN WITNESS WHEREOF Mr. Shankarappa Basalingappa Desai, President of the Local Board and Mr. Gadigeppa Adiveppa Hiredesai and Mr. Haji Md. Ibrahimsaheb Kattiwala two other Members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and R. P. Paranjpye Esquire I. E. S. ~~Esquire~~ Director of Public Instruction for the Province of Bombay, hath set his hand and the seal of his office hereto on - behalf of the Governor of Bombay, the day and year first above written.

The Schedule Above Referred to.

Description and boundaries of property.

The piece or parcel of land measures in superficial area 36 Gunthas and 306 Square feet be the same a little more or less situated in the village of Kakhandki and bearing - Survey No.358 in the Taluka of Bijapur in the District of

Bijapur and in the Registration sub-district of Bijapur in the said district and measures from North to South 165 feet on the eastern side and 165 feet on the western side and from East to West 240 feet on the ~~southern~~ Northern side and 240 feet in the southern side be the same a little more or less and is bounded as follows:-

On the North by S.No.353
On the South by S.No.352
On the East by Cart track
and on the West by S.No.352

and is for greater clearness delienated on the plan hereto annexed and signed by the executing parties aforesaid.

Signed by

Mr. Shankareppa Basalingappa Desai, President, District Local Board, Bijapur. Sd/- S. B. Desai. President.

(1) Mr. Gadigeppa Adiveppa Hiredesai (1) Sd/- G. A. Hiredesai.

and

(2) Mr. Haji Md. Ibrahimsaheb Hattiwala (2) Sd/- H. I. Hattiwala

two other Members of the District Local Board, Bijapur, and sealed with the common seal of the Local Board of Bijapur in the presence of

Members.

Common seal.

(1) Mr. P.R.Kakraddi, Chief Officer, District LocalBoard of Bijapur. Sd/- P. R. Kakraddi,

(2) Mr. G.S.Korti, Head Clerk, District Local Board of Bijapur. Sd/- G. S. Korti.

Signed, sealed and delivered by R. P. Pathwardhan Esq., I.E.S. Director of Public Instruction for the Province of Bombay, in the presence of- Sd/- R. P. Pathwardhan.

(1) Sd/- R. A. Abhyankar. Accounts Superintendent.

(2) Sd/- V. S. Bendre. Junior Superintendent Office of Director of Public Instruction's office Bombay Poona.

Annexture:-Plan.

Witnesses :- Shankarappa Basalingappa Desai.
President D.L.B. Bijapur Lingayat 54 native
of Sulla, now at Bijapur.

(2) Gadiyappa Adiveppa Hire Desai. member
D.L.B. Bijapur, Lingayat 62 Bijapur.

(3) Haji ~~and Ibrahimsahib~~ Hatiwala. member
D.L.B. Bijapur muslim 33 Bijapur.

Executing parties admit execution of the
deed and they are all known to the undersigned
Sub Registrar

Sd/ S.B. Desai.
Sd/ Gadiyappa Adiveppa
Hire Desai.
Sd/ H.J. Hatiwala.

R.P. Palwankar Esqr I.E.S. Director of
Public Instruction for the purpose of Bombay
executing party, is exempt from personal
~~appearance~~ under section 88 of the I.R. Act.
His signature and seal and the seal of the
D.L.B. are identified by the Chief Officer
D.L.B. Mr Pandurang Ramachandra
Kakandi. of Bijapur who is known to
the ~~sub~~ Registrar.

Sd/ P.R. Kakandi.

2 - 2 - 46

Sd/ B.S. Kulkarni
Sub Registrar Bijapur.

B.J.R
181-7(7)
1946

Registered no 181
of Book no I.
Dated 2 - 2 - 1946

Sd/ B.S. Kulkarni
Sub Registrar Bijapur

SI 248

29

Registered.

No. S-42(d)-859-D.
Poona, 21 August, 1946.

From

The Director of Public Instruction,
Province of Bombay, Poona.

NOTE TO GOVERNMENT
1095
24/8/46.

To

The Rememberancer of Legal Affairs,
Bombay.

Subject:-Building Grant for the Non-Local Authority Municipal Primary School at Kumta, District- Bijapur.

Sir,

I have the honour to forward herewith the papers noted in the margin in support of the title of the District Local Board, Kanara to the site of Municipal Urdu Boys' School at Kumta and to request that you will be good enough to let me know whether the title of District Local Board, Kanara to the site of the school is good and in order for the purposes of grant-in-aid.

1) Gift-Deeds dated 11-4-1935 and 23-10-1935 signed by the Vahiwatdar of Kumta Jumma Masjid, with their English versions.
2) Site-plan of the Urdu Boys' Primary School, Kumta.
3) Copy of No.T.R. dated 28-1-1943 from the Mamlatdar of Kumta with its accompaniment in original.

Your obedient servant,

for Director of Public Instruct

Ms17/8.

3B 31

No. 6429

Legal Department,

Bombay Castle, 21st September 1946.

To

The Director of Public Instruction,
Poona.

Subject:- Building Grant for the Non-Local Authority Municipal Primary School at Kumta, District Bijapur.

Sir,

With reference to your letter No. S-42 - 859-D dated 21st August 1946, I have to state as under:-

It is presumed that the site of the School before it was transferred by the Vahivatdar Alli Saheb Adam Saheb to the Kumta Municipality was wakf property and the said Vahivatdar was a Mutawalli thereof.

Under Muslim Law, a Mutawalli has no power, without the permission of the Court, to mortgage, sell or exchange wakf property or any part thereof unless he is expressly empowered by the Deed of wakf to do so. He, therefore, can certainly have no power to make a gift of it.

Your are therefore requested to ascertain whether under the provisions of the Deed of wakf under which the mosque has been established, the mutawalli has been authorised to dispose off any part of the wakf property by a Deed of Gift. In the absence of such authority, it may be necessary to obtain retropective sanction of the Court to the aforesaid transfer.

The title of the District Local Board, Kanara to the said site as it is cannot, therefore, be treated as good and in order for the purpose of grant-in-aid.

Your obedient servant,

RSN 26/9

Assistant Solicitor to Government.

Ko. 20.9.

Issued
Jam
21/9.

Submitted after issue
Filed in T-D/Byg file
Dtg
2/17
Asst. Ron 23/9.

T-D. Byg/46
23/9

Rdn 7/11

No. S-42(d)540-D.
Poona, 6 November, 1946.

From

The Director of Public Instruction,
Province of Bombay, Poona.

To

The Rememberancevof Legal Affairs,
Bombay.

Subject:- Trust Deed for building grant paid for the District Local Board Primary School at Sulla Taluka Badami, District Bijapur.

Sir,

I have the honour to forward herewith for record, a copy of the Trust Deed dated the 8th June, 1946 together with a copy of the site plan on account of the building grant of Rs.1160/- paid for the District Local Board, Primary School at Sulla, Taluka Badami, District Bijapur.

Your obedient servant,

for Director of Public Instruction.

Ms1/11.

L. D.
7 NOV 1946
E

This Indenture made the eighth day of June one thousand nine hundred and forty six BETWEEN the District Local Board of Bijapur established under the Bombay Local Boards Act, 1923 (hereinafter referred to as "the Local Board") of the one part, and the Governor of Bombay (hereinafter referred to as "the Government") of the other part, WHEREAS the Local Board has applied to the Government for a Building site for a school at Gulla Taluka Badami District Bijapur for the Kannad Boys' school and for a Building Grant-in-aid of such school and has satisfied the Director of Public Instruction, Province of Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular - education that the plans estimates and specifications are satisfactory a nd that the building has been constructed AND WHEREAS by the rules now in force in the Province of Bombay for regulating the application of grants made by the Government in aid of schools it is provided (inter - alia) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Government has agreed to allot the piece or parcel of land valued at Rupees 145/- (one hundred and forty five/-) only described in the Schedule hereto and to hold the same for the purposes of the said - school in manner hereinafter appearing and has sanctioned a Building Grant of Rupees.1,160/-(one thousand one hundred and sixty/-) only paid to the Local Board and the Local - Board has agreed to execute these presents AND WHEREAS

the Commissioner Southern Division, has sanctioned the transfer hereby made and such sanction is recorded in his Memorandum No.L.F.Br. dated 15-5-1944.

NOW IT IS HEREBY DECLARED AND AGREED by and between the parties hereto that the Government shall hold and stand possessed of the piece of land described in the Schedule hereto and all buildings which now are erected or may for the time being be erected thereon and also all fittings and fixtures which now are or may for the time being be on the premises upon trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Local Board to enter upon the said premises for the purposes and on the conditions following namely that the Local Board and its successors shall

(1) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which hereafter be, on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(2) pay all rates, charges, assessments and expenses leviable or chargeable in respect of the premises and buildings;

(3) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(4) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department of the Government of Bombay;

(5) keep the said school at all times open to the inspection of the Inspecting Officers of the Educational Department of the Government of Bombay ; and

(6) keep at all times the building or buildings alread erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of Bijapur Division has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Government against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Government or its Agent for the time being and regularly pay the premium which shall become payable in respect of such insurance and whenever thereunto required so to do produce to him the Policy or Policies of such insurance and the receipt for the Premiums paid thereon in respect of the current year and shall, unless the Local Board has forfeited its

ight or claim to such policy or policies of insurance as ereinafter provided apply all moneys which may be - eceived by virtue of any such policy or policies in ebuilding or reinstating the premises destroyed or amaged.

PROVIDED ALWAYS and it is hereby declared and agreed hat in the event of default being made by the Local Board n the performance of any of the conditions hereinbefore entioned the said building grant and any future building grants from time to time made by the Government in respect of the said school or so much of the same as shall not then have been made shall lapse and it ~~xkk~~ shall be lawful for the Government at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said - premises and the same shall be and become absolutely the property of the Government free from incumbrances and - discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said - buildings and the amount of Premium paid in respect of such insurance) of the Local Board or its successors, representatives and assigns and all other persons whom-so--ever. IN WITNESS WHEREOF Shankareppagouda Basalingappa Desai, Esq., the President of the Local Board and - Mr. Mallangouda Ramangouda Patil and Mr. Gadigeppa Adiveppa Hiredesai two other members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and

R. P. Patwardhan. Esq., I.E.S., Director of Public Instruction for the Province of Bombay, hath set his hand and the seal of his office hereto on behalf of the Governor of Bombay, the day and year first above written.

The Schedule Above Referred To.

Description and boundaries of Property.

The Piece or Parcel of land measures in superficial area 9500 Square feet i.e. 8 Gunthas 87 Square yards and 5 square feet be the same a little more or less and -

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situated in the village of Sulla and bearing S.No. nil in the Taluka of Badami in the District of Bijapur and in the Registration sub-district of Badami in the said district and measures from North to South 65 feet on the eastern side and 125 feet on the Western side and from East to West 100 feet on the Northern side and 100 feet on the Southern side, be the same a little more or less and is bounded as follows:-

	On the North by	S.No.1
	On the South by	Open village site.
	On the East by	Open village site
and	On the West by	Open village site

and is for greater clearness delineated on the Plan hereto annexed and signed by the Executive Parties aforesaid.

Signed by.

Sd/ S.B. Desai.

Mr. Shankareppagouda Basalingappa Desai, President, District Local Board, Bijapur. — President.

Mr. Hallangouda Ramangouda Patil. (1) Sd/ M.R. Patil.

and

Mr. Gadigeppa Adiveppa Hiredesai. (2) Sd/ Gadigeppa Adiveppa Hiredesai.
two other members of the District Local Board, Bijapur and sealed with the common seal of the Local Board of Bijapur in the presence of — Members

Common seal.

(1) Mr. P.R.Kakraddi, Chief Officer, District Local Board of Bijapur. Sd/ P.R. Kakraddi.

(2) Mr. G.S.Korti, Head Clerk, District Local Board of Bijapur. Sd/ G.S. Korti.

Signed, sealed and delivered by Sd/ R.P. Paranjpe

R.P. Paranjpe Esq., I.E.S. Director of Public Instruction for the Province of Bombay, in the presence of

(1) Sd/ S.R. Sanjana Asstt. Superintendent.

(2) H. Bendrey Junior Superintendent Official seal

Director of Public Instruction Bombay Province

Annexture:- Plan.

S. No. 2

Presented at the office of the
District Registrar of Bijapur
between the hours of 4 and 5
on the 29-7-1946.

Sd/ S. B. Desai.

Sd/ G. R. Parekh.
District Registrar
Bijapur

Received from Rs.
Registration Rs 11-4-0
Copying folios 12 3-0-0
Extra for Registg. D.R. 5-0-0
for certificate endorsement 0-8-0
for memo. memorandum 0-10-0
filing of mark 0-10-0
Postage
21-0-0

Sd/ G. R. Parekh.
District Registrar
Bijapur.

Witness 1- Shankarappa Parwada. Basalingappa. Desai. President D. L. B. Bijapur hereinafter 54 native of Indian domicile Bijapur.

2) Mallanpa Parwada. Ramanpa Parwada Patil hereinafter 37 member D. L. B. Bijapur.

3) Gadiappa Adiveppa. Hiremath Desai hereinafter 62 member D. L. B. Bijapur executing parties admit execution of the deed and they are known to the District Registrar.

Sd/ S. B. Desai Sd/ M. R. Patil.

Sd/ Gadiappa Adiveppa Hiremath.

Rao B. Padmanabhan Esqr. I.C.S. Director of Public Instruction for the Province of Bombay, executing party in exercise from personal appearance under Section 88 of the Indian Registration Act. His signature and seal and the seal of the D. L. B. are identified

by the Chief officer D. L. B. Sub Pandaram
Ramachandra Kakkanthi of Bijapur
who is known to the District Registrar

Sd/ P. R. Kakkanthi 29-7-46

Sd/ G. R. Pantia
District Registrar
Bijapur

Registered no II
at pages 385 to 391
Volume 3 of Book no 1

Date 30-7-1946.

Sd/ G. R. Pantia
District Registrar
Bijapur.

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copy of the map which accompanied the document registered at No 2 on pages from 385 to 391 of volume no 3 of Book no I is filed on page 28 of Volume II of Book no I Part II.

Date. 30-7-46

Dy Registrar
District Registrar
Bijapur.

T.D. Bijapur/46
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